

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

UNITED STATES OF AMERICA

v.

ANDREW THOMAS RICKER

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No. 2:15-CR-141

MEMORANDUM AND ORDER

On August 27, 2020, the Honorable Pamela L. Reeves denied the defendant's motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A)(i). [Doc. 38]. The defendant now moves to set aside Judge Reeves' order and reconsider his motion in light of a reply brief. [Docs. 39, 41]. The defendant states that he would like to file a response to the government's opposition to his motion for compassionate release. He acknowledges that any right to file a reply brief is within the trial court's discretion. [Doc. 41, p. 2].

Under Local Rule 7.1(a), the briefing schedule allows for an opening brief, response brief, and reply brief. *See* E.D. Tenn. L.R. 7.1(a). However, reply briefs are not necessary unless otherwise stated by the Court. *See* E.D. Tenn. L.R. 7.1(c). Thus, the Court is not required under the Local Rules to allow a party to file a reply brief before ruling on a motion. *See, e.g., Lauer v. Attentus Healthcare Corp.*, 2007 WL 3069646 at *1 (E.D. Tenn. Oct. 18, 2007) ("Local Rule 7.1(c) establishes that the filing of reply briefs is not a matter of right").

Accordingly, because the defendant does not have a right to file a reply, his requests for reconsideration and for leave to leave to file a reply brief [docs. 39, 41] are **DENIED**.

IT IS SO ORDERED.

ENTER:

s/ Leon Jordan
United States District Judge